

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police - Hyderabad – Disciplinary action against Sri K.Moinuddin, HC 6138 (Retd) Hyderabad city –Action dropped – Orders – Issued

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 1532

Dated:10-9-2009

Red the following:

1. From the CP, Hyderabad, Lr.No. L&O/ B5/Tr/ 287/ 2004 , dated 14-11-2007 addressed to the DGP, AP, Hyderabad
2. From the DGP, Lr.Rc.No. 1703/Appeal-2/2007,dated: 17-12-07
3. Govt.Memo.No.39509/Ser.II/A3/2007, dated:15 -4-2008
4. From the AR, APAT, order dated: 2-6-2009 in M.A.No.1135/ 09 in OA.No. 4898/2007
5. Memo.No.16814/Ser.II/A3/2009, dated: 20-6-2009
- 6..From the GP for Home , APAT, Hyderabad,OA.No.4898/ 2007/SGR/ APAT, dated: 23-6-2009
7. From the CP, Hyderabad, Lr.No. L&O/ B5/Tr/ 287/ 2004 , dated: 24-6-2009
8. Govt. Memo.No.39509/Ser.II/A3/2007, dated:27 -6-2008
9. From the CP, Hyderabad, Lr.No. L&O/ B5/Tr/ 287/ 2004 , dated:17-7-2009
10. Govt. Memo.No.39509/Ser.II/A3/2007, dated:22-7-2009
11. From the DGP, AP, Hyderabad, Memo.No.Rc.No.1708/Apeal-2/2007, dated: 28-7-2009
12. Proceedings of the Commissioner of Police, Hyderabad No.L&O/B5/Tr/287/2004, (D.O.No.2522) dated: 1-8-2009

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**ORDER:**

In the letter 2<sup>nd</sup> read above, the DGP has proposed for action against Sri K.Moinuddin HC 6138 (retired) of Hyderabad city, in terms of the 9(2) (b) (i) of A.P. Revised pension Rules 1980, which requires sanction from the Government for initiating the disciplinary action against the retired personnel, if not initiated while in service. However, as the individual was immediately placed under suspension in the year 2004, and later retired from service in the year 2006, the disciplinary action is deemed to be initiated while the individual is in service and therefore does not require sanction from the Government. Accordingly Government, in the reference 3<sup>rd</sup> read above, has requested the DGP, to take necessary action as per Rule 9 (2) (a) of A.P. Revised Pension Rules, 1980 and send his OE report along with his specific remarks in the matter to Government for further action.

2. While the matter stood thus, the APAT, in its notice, dated: 10-6-2009 in OA.No. 4898/2007 filed by the charged officer, has directed the official respondents to file counter in the matter. Accordingly, Government in the references 8<sup>th</sup> and 10<sup>th</sup> read above, has requested the Commissioner of Police, Hyderabad to take necessary action as per Memo 3<sup>rd</sup> read above, and to complete the OE within one month and furnish the same along with his findings to Government and also to file revised counter in APAT in consultation with the GP, seeking 3 months time to complete the process and also see that the APAT shall not the dispose the case ex-parte.

3. In the reference 12<sup>th</sup> read above, the Commissioner of Police, Hyderabad, have issued proceedings dropping further action against the charged officer stating that as charges could not be framed against the delinquent, and other delinquents who continued in the service were dealt on minor PR, no purpose will be served by initiating minor PR which does not have any effect attracting the Rule (9) of pension rules nor any effect on the pension in the matter of reducing or with holding of his pension.

4. As per Rule 9 (2) (a) of A.P.R.P.Rules, 1980, Government is competent to dispose the disciplinary proceedings against a retired charged officer. Therefore, the above proceedings of the Commissioner of Police, Hyderabad, are invalid.

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5. However, Government have accepted the contention of the Commissioner of Police, Hyderabad, as at para (3) above, and hereby drop further action against Sri K.Moinuddin HC 6138 (retired) of Hyderabad city, in the matter of allegations of collecting mammals from vendors at Secunderabad Railway Station leaving his duty point on 14-3-2004. The period of suspension shall be treated as on duty.

6. The Director General of Police, Andhra Pradesh, Hyderabad, and the Commissioner of Police, Hyderabad, are requested to take further action in the matter accordingly .

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To,  
The Director General of Police, Andhra Pradesh, Hyderabad  
The Commissioner of Police, Hyderabad,

//Forwarded:: By order//

SECTION OFFICER